

DECLARATION OF GRAHAM BOGUMILL

I, Graham Bogumill, do hereby declare:

INTRODUCTION AND AGENT BACKGROUND

1. I am currently a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) assigned to the Portland Field Office. I have been a Special Agent since October of 2019. I am a graduate of the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia, as well as a graduate of the Special Agent Basic Training Program at the ATF National Academy in Glynco, Georgia. As a Special Agent with ATF, my duties and responsibilities have included conducting criminal investigations for possible violations of federal controlled substance and firearms laws.

2. This declaration is submitted in support of the complaint seeking *in rem* forfeiture for the following items:

- \$29,110 United States currency; and
- \$9,500 out of \$16,393 United States currency.

3. As set forth below, there is probable cause to believe, and I do believe, that the U.S. currency is traceable to violations of 21 U.S.C. § 841(a)(1), the unlawful distribution and possession of controlled substances, by Owenn Andrew Mitchell and is therefore subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6).

4. Title 21, United States Code, Sections 841(a)(1) and 846 make it unlawful to distribute and possess with the intent to distribute controlled substances, and to conspire to do so.

SUMMARY OF INVESTIGATION

5. In January 2023, ATF initiated an investigation into the distribution of counterfeit Oxycodone M30 pills laced with N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (hereinafter “fentanyl”) and methamphetamine in the District of Oregon. ATF identified Owenn Mitchell (hereinafter “Mitchell”) as a source of supply of fentanyl pills and methamphetamine in Salem, Oregon.

6. On March 27, 2023, detectives with the Salem Police Department (hereinafter “SPD”) conducted a traffic stop on the vehicle Mitchell was operating. Detectives placed Mitchell under arrest pursuant to an unrelated warrant. Detectives advised Mitchell of his *Miranda Rights*, and Mitchell stated he understood his rights. Detectives asked Mitchell if there were any drugs in the vehicle. Mitchell stated there were drugs within a red duffle bag in the backseat of the vehicle. Mitchell provided consent for the detectives to search the vehicle. Detectives searched the red duffle bag and recovered six plastic zip lock bags containing approximately 2,193 grams (4.6 lbs.) of methamphetamine, \$16,393 in U.S. currency, a scale, baggies, and a pepper-ball gun. Photos of the red duffle bag and contents are shown below.

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7. Mitchell provided consent for law enforcement to search his residence (XXX Pembrook St SE, Salem, Oregon) for additional controlled substances. ATF Special Agents and SPD detectives searched Mitchell's residence and seized 322.3 grams of methamphetamine, an automated money counter, and 783 rounds of assorted ammunition. Mitchell was released by law enforcement pending further investigation.

8. On March 29, 2023, I interviewed Mitchell regarding his drug distribution activity. Mitchell stated he transported and sold approximately ten to fifteen pounds of methamphetamine a week. I know, based on my training and experience, and conversations with other law enforcement officers, one pound of methamphetamine can sell for approximately \$1,200 – \$1,800.

9. On March 30, 2023, I received and executed a federal search warrant (warrant number 3:23-mc-271) for a storage unit Mitchell rented, specifically, storage unit K0013 located at 2611 River Rd S, Salem, Oregon. Investigators had observed, via the property's security camera system, Mitchell arrive at the storage unit location at 10:30 a.m., on March 30, 2023. At approximately 7:00 p.m., ATF and FBI Special Agents, executed the search warrant on the storage unit. Special Agents seized 552.8 grams of methamphetamine and 100 rounds of ammunition from the storage unit.

10. On March 30, 2023, at approximately 7:46 p.m., Washington County Sheriff's Office (hereinafter "WCSO") deputies conducted a traffic stop on the vehicle being operated by Mitchell in Beaverton, Oregon. Morgan Cradduck was also in the vehicle. Deputies were aware at the time of the traffic stop that Mitchell was the suspect in a federal drug trafficking investigation. During the course of the traffic stop, a WCSO narcotics detection K9 was deployed to the exterior of the vehicle. The narcotics K9 displayed its alert signal at the

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passenger's door of the vehicle. Deputies detained Mitchell and Cradduck and searched the vehicle pursuant to the mobile vehicle exception. In the vehicle, detectives located 1.5 grams of methamphetamine, 21.8 grams of suspected counterfeit oxycodone pills containing fentanyl, \$29,110 in U.S. currency, packaging supplies, and two digital scales. Detectives questioned Mitchell regarding the large amount of currency found in the vehicle. Mitchell told the detectives the money belonged to Cradduck, and they were going to use the money to purchase vehicles.

11. Detectives also spoke with Cradduck. Detectives asked Cradduck if anything in the vehicle belonged to her. Cradduck stated her purse, some "rigs" (syringes), and about \$1,000 in cash belonged to her. Cradduck then said there were thousands of dollars of cash in the vehicle. Cradduck said her grandfather is very rich, and she was going to gamble with the cash. Detectives asked Cradduck why the cash was not put into a bank. Cradduck replied asking why she would put the money into the bank when she intended to gamble using the money. Cradduck further stated that some of the money was also winnings from gambling. Cradduck never discussed intending to use the money to purchase vehicles as Mitchell had stated.

12. WCSO deputies arrested Mitchell and lodged him at the Washington County Jail.

13. On March 31, 2023, I received a federal arrest warrant for Mitchell (warrant number 3:23-mj-00066). On April 4, 2023, I transported Mitchell from the Washington County Jail to the custody of the United States Marshal's Service (USMS). While in transit, ATF Special Agent N. Miller advised Mitchell of his *Miranda Rights*. I asked Mitchell why he was in possession of a large amount of cash during his arrest by WCSO. Mitchell stated the cash belonged to his girlfriend, Morgan Cradduck. Special Agent Miller challenged Mitchell on this

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statement, believing Mitchell was not being truthful about the money. Mitchell then stated the majority of the money was his, and he had earned the money from selling drugs. Mitchell said he and Morgan Cradduck were in Beaverton with a large amount of cash to help a friend purchase a storage unit, and after they were going to buy cars at an auction. During the course of the conversation, Mitchell made a comment to the effect that he was \$100,000 in debt as a result of his drug dealings.

14. Mitchell filed a claim in the administrative forfeiture process asserting he owns \$9,500 of the \$16,393 seized on March 27, 2023, and all \$29,110 seized on March 30, 2023. Cradduck filed a claim in the administrative forfeiture process asserting she owns the \$29,110 seized on March 30, 2023. No one filed a claim to the remaining \$6,893.

15. As set forth above, there is probable cause to believe, and I do believe, that the \$9,500 and \$29,110 United States currency seized from Mitchell is proceeds of trafficking controlled substances, in violation of 21 U.S.C. § 841(a)(1) and is therefore subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6).

16. I have presented this declaration to Assistant United States Attorney Julia Jarrett, and she has advised me that, in her opinion there is probable cause to forfeit the above-mentioned seized property.

I declare under penalty of perjury that the foregoing is true and correct pursuant to 28 U.S.C. §1746.

Executed this 14th day of December 2023.

/s/ Graham Bogumill
GRAHAM BOGUMILL, Special Agent
Bureau of Alcohol, Tobacco, Firearms, and Explosives

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